

THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO.24657 OF 1997

DATE: 10th JULY 2006

Between:

B.Naga Shankar Manikyam,
Son of Veeramallaiah, aged 35 years,
Occ: weaver, member, Sri Siva Deva
Weaver Cooperative Production and
Sales Society Ltd., Daggulur, Palakollu
Mandal, West Godavari.

.... Petitioner.

And

1. The Government of Andhra Pradesh,
rep. by its Secretary, Department of
Handlooms and Textiles, Secretariat,
Hyderabad and 6 others.

.... Respondents.

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ORDER:

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This writ petition is filed seeking writ of Mandamus declaring action of the 7th respondent in not taking any action under Section 34 read with Section 32 of the Andhra Pradesh Cooperative Societies Act (for short 'the Act') and allowing the 6th respondent and other members of the committee to take affairs of the society without there being any audit enquiry, as illegal and arbitrary and consequently to direct the 7th respondent to take appropriate action under Sections 34 and 60 of the Act for recovery of the amounts misappropriated by the 6th respondent.

2. The only grievance of the petitioner is that earlier pursuant to directions issued by the Member Secretary, A.P. State Legal Services Authority, an enquiry under Section 60 of the A.P. Cooperative Societies Act, was conducted and a report has been submitted by the 4th respondent on 13.6.1997. In spite of there being an enquiry conducted by appropriate authority under law, no action has been taken against the persons involved therein.

3. In view of the above, without expressing any opinion on merits, the official respondents are directed to take appropriate action on the report submitted by the 4th respondent as per law, if no action has been already taken.

4. The writ petition is accordingly disposed of. No costs.

C.V.RAMULU, J.

Date: 10th July 2006.
BSB